

REMARKS

The present amendment is submitted in response to the Office Action mailed February 7, 2008.

Applicant appreciates the indication of allowability of claims 50-52 and the indication of allowable subject matter of each of claims 43, 44, 45 and 48. By this amendment, independent claim 1 has been amended to incorporate the limitations of allowable claim 43. Accordingly, allowance of independent claim 1 and the claims depending from independent claim 1 is respectfully requested. Allowable claim 48 has been rewritten into independent format to incorporate the limitations of base independent claim 46. Allowance of claim 48 and dependent claims 47 and 49 now depending from independent claim 48 is respectfully requested.

With regard to the Examiner's reasons for the indication of claim 50 proffered in the Office Action, Applicant's note that the base may be positionable on a support surface which is not necessarily "flat" as stated in the Office Action.

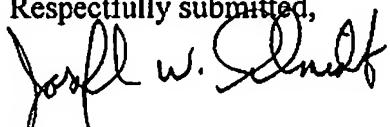
Claims 1-12 and 46 stand rejected under 35 U.S.C. 102(b) by U.S. Patent No. 5,342,328 to Grossman (Grossman '328). Claim 1 has been amended to incorporate the limitations of claim 43 which was indicated to be allowable. Claim 46 has been canceled without prejudice. Accordingly, allowance of claim 1 and claims 2-12 depending from claim 1 is respectfully requested.

Claim 12 stands rejected under 35 USC 103(a) by Grossman '328 in view of EP 1,295,561. Claim 12 depends from independent claim 1 and is at least patentable for the reasons claim 1 is patentable. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 1 and 46 stand rejected under the judicially created doctrine of nonstatutory double patenting over claim 1 of parent U.S. Patent No. 7,118,559B2. A Terminal Disclaimer is being submitted herewith to obviate this rejection.

Each of the pending claims is believed to be allowable over the art of record. Allowance of the claims is earnestly solicited. Should the Examiner believe that a telephone or a personal interview may facilitate resolution of any matters, he/she is respectfully requested to contact Applicant's undersigned representative at the number indicated below.

Respectfully submitted,



Joseph W. Schmidt
Attorney for Applicant(s)
Reg. No. 36,920

CARTER, DELUCA, FARRELL & SCHMIDT, LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747
Telephone: (631) 501 5700
Facsimile: (631) 501 3526
JWS:tt